

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

HALLMARK CARDS, INCORPORATED, )

Plaintiff, )

v. )

Case No. 07-357-CV-W-ODS

MONITOR COMPANY GROUP )  
LIMITED PARTNERSHIP, )

Defendant. )

**PLAINTIFF'S MOTION FOR ORDER OF CIVIL CONTEMPT AND SANCTIONS  
AGAINST MONITOR COMPANY GROUP LIMITED PARTNERSHIP  
FOR FAILURE TO COMPLY WITH THE INJUNCTION**

Plaintiff Hallmark Cards, Incorporated ("Hallmark") respectfully moves the Court to (1) hold defendant Monitor Company Group Limited Partnership ("Monitor") in contempt for failing to comply with this Court's May 18, 2007 Order adopting the injunction entered by the Arbitrator in Hallmark Cards, Incorporated v. Monitor Group Limited Partnership, Case No. 57 181 00014 06 before the American Arbitration Association (the "Order" or "Injunction"); (2) impose monetary sanctions on Monitor for its spoliation of key evidence and failure to comply with the Injunction, including ongoing sanctions sufficient to compel its compliance with the Injunction; (3) award attorneys' fees incurred by Hallmark as a result of Monitor's actions in failing to comply with the Injunction; (4) establish deadlines for compliance with the terms of the Injunction; and (5) and order Monitor to preserve evidence it discovers even if removed from Monitor's active computer systems.

Plaintiff's Suggestions in Support of this motion are filed contemporaneously with this motion and are incorporated herein by reference.

Respectfully Submitted,

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ATTORNEYS FOR HALLMARK CARDS,  
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**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that the foregoing document was served electronically through the CM/ECF system on this 22nd day of June, 2009, upon the following counsel of record:

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